

REMARKS

The Office action of 30 January 2006 (Paper No. 012006) has been carefully considered.

The specification and Abstract are being amended to correct minor errors and improve form. Claim 14 is being canceled without prejudice or disclaimer, and claims 1, 5 and 9 are being amended. Thus, claims 1 thru 13 and 15 are pending in the application.

In paragraph 4 of the Office action, the Examiner rejected claims 1 thru 5, 7 thru 9 and 11 thru 15 under 35 U.S.C. §103 for alleged unpatentability over Rueger *et al.*, U.S. Patent Publication No. 2003/0018806 in view of Back *et al.*, U.S. Patent Publication No. 2003/0036396. In paragraph 5 of the Office action, the Examiner rejected claims 2, 6 and 10 under 35 U.S.C. §103 for alleged unpatentability over Rueger *et al.* '806 in view of Back *et al.* '396, and further in view of Pang *et al.*, U.S. Patent Publication No. 2003/0043762. For the reasons stated below, it is submitted that the invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §103.

The present invention relates generally to a digital communication system for wireless mobile communication terminals based on the H.323 protocol system and, in particular, to a method and system for transmitting a set of short messages, as well as

voice communications, between Internet phones using the H.323 protocol system.

The invention provides a message transmission system between a short message transmission server and a gatekeeper. The gatekeeper controls setup of a call and user registration or cancellation in the Internet phone. The Internet phone is optionally connected to the gatekeeper, and has a short message transmission module for transmitting, via a predetermined port to the short message transmission server, the short message including information corresponding to a telephone number of the called party's Internet phone. The short message transmission server serves as an H.323 terminal registered in the gatekeeper, is constructed to transmit, to the gatekeeper, the information relating to the called party's Internet phone incorporated in the corresponding short message received from the Internet phone so as to obtain an Internet protocol (IP) address of the called party's Internet phone, and to transmit the short message to the IP address of the called party's Internet phone. The invention allows a user of the Internet phone to transmit the short message service (SMS) message to the called party's Internet phone using the registration admission and status (RAS) protocol of the H.323 multimedia communication protocol.

The primary reference cited by the Examiner is Rueger *et al.*, U.S. Patent Publication No. 2003/0018806. Rueger *et al.* '806 relates to a method, message server and a telecommunications network which allow conveyance of messages, particularly short messages, originating in a mobile telecommunications network such as a GSM

system and terminating at a recipient application or a related service in an IP network not using the standards of said mobile telecommunications network. The inventive telecommunications network comprises a message server (WAMS) through which messages arriving at a first service centre (SC2) can be routed to a second service centre (SC1) which is connected to the recipient application or the related service. According to the inventive method, a virtual mobile station number is established as the address for the recipient application, to which the entire community of short message mobile stations MS can originate messages as it would originate them toward a real mobile station MS.

The secondary references cited by the Examiner are Back *et al.*, U.S. Patent Publication No. 2003/0036396 and Pang *et al.*, U.S. Patent Publication No. 2003/0043762.

Back *et al.* '396 relates to a method and system for receiving data by using an SMS and a wireless Internet. The method comprises the steps of receiving a short message from a service provider, wherein the short message comprises at least a service identifier and site information, determining whether or not there is an application protocol in the site information, and executing an IP channel connecting program in correspondence with the application protocol when the application protocol is in the site information, wherein the data receiving system receives data in correspondence with the application protocol from the service provider by executing the IP channel connecting program.

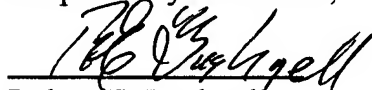
Pang *et al.* '762 relates to a system for providing voice communications between an end terminal in a packet data network and a wireless communication device, and includes a packet communication supporting subsystem, a base station subsystem, and a Voice-over-Internet-Protocol Mobile Switching Center ("VMSC"). The packet communication supporting subsystem communicates with the packet data network, and also operates to locate the wireless communication device. The base station subsystem communicates with the wireless communication device, and also communicates with the packet data network through the packet communication supporting subsystem in the form of data packets. The VMSC communicates with the packet communication supporting subsystem through a packet-switched network, and communicates with the base station subsystem through a circuit-switched network. In addition, registration, call-making, call-releasing, and call-receiving methods are provided for a wireless communication device to provide voice communications between the wireless communication device and an end terminal in a packet data network.

On page 4 of the Office action, the Examiner admits that Rueger *et al.* '806 does not disclose a short message transmission module (*see* page 4, lines 11-13 of the Office action), but the Examiner cites Back *et al.* '396. However, in Back *et al.* '396 (Figure 2 thereof), the receiver/transmitter 420 of the user terminal does not transmit a short message to a short message transmission server. In fact, Figure 2 of Back *et al.* '396 only discloses reception of a short message by the SMS receiver 430 of receiver/transmitter

420 in the user terminal 410 (*see* paragraph [0030], lines 1-2 of Back *et al.* '396). Thus, the invention is distinguishable from the prior art cited by the Examiner because the prior art (and, in particular, Back *et al.* '396) does not disclose or suggest transmission of a short message from a user terminal to a short message transmission server, and thus does not disclose or suggest a user terminal or Internet phone having a short message transmission module which transmits a short message, via a predetermined port, to a short message transmission server, as recited in independent claims 1, 5 and 9 of the present application. Moreover, the dependent claims provide further bases for distinguishing the invention from the prior art.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

Respectfully submitted,



Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56672
Date: 4/27/06
I.D.: REB/JGS